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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,343	07/09/2003	Zhipeng Hao	CS21289RL	1510
20280	7590	01/03/2006	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			NGUYEN, TU X	
			ART UNIT	PAPER NUMBER
			2684	
DATE MAILED: 01/03/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/616,343	HAO ET AL.	
	Examiner Tu X. Nguyen	Art Unit 2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 July 2003.
- 2a) This action is FINAL.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>7/09/03</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20, are rejected under 35 U.S.C. 102(e) as being anticipated by Logan (US Pub. 2002/0181671).

Regarding claims 1, 7 and 12, Logan discloses a communication device, comprising:  
a plurality of input keys, each of the plurality of input keys configured to generate a unique input key signal (see 103, 109, fig.1);  
a processor coupled to the plurality of input keys, the processor configured to accept input key signals (see 101, fig.1);  
memory coupled to the processor (see 131, fig.1), the memory configured to store a plurality of messages, each of the plurality of messages corresponding to and selectable by a unique identifier generated by at least one input key signal (see par.032, “descriptive label for the text message” corresponds to “unique identifier”); and  
a transmitter (see 125, fig.1)coupled to the processor, the transmitter configured to transmit a message selected from the plurality of messages by the at least one input key signal, the message transmitted as a voice message (see par.033).

Regarding claims 17, Logan discloses a communication device, comprising: a message storage module configured to store a plurality of messages, each of the plurality of messages having a corresponding identifier; a display coupled to the message storage module, the display configured to display a set of corresponding identifiers of the plurality of messages; a message selector coupled to the message storage module, the message selector configured to select a message of the plurality of messages by a corresponding identifier; and a transmitter coupled to the message selector configured to transmit a selected message (see fig. 1, 2; par.032-33).

Regarding claims 2, 8, 13 and 18, Logan discloses a microphone coupled to the processor (see 121, fig.1), the microphone configured to receive a spoken message of a user, wherein the processor is further configured to digitize the spoken message to be stored in the memory as a voice message of the plurality of messages (see par.013).

Regarding claims 3 and 9, Logan discloses the plurality of messages comprises a text message (see par.032).

Regarding claims 4, 10 and 20, Logan discloses the communication device further comprises a text-to-speech converter configured to convert the text message into a voice message before transmission (see par.033).

Regarding claims 5 and 11, Logan discloses a receiver coupled to the processor, the receiver configured to receive a call, wherein the processor is configured to convert the selected message into a voice message during the call before transmission of the selected message in response to the call (see par.016, 021).

Regarding claims 6 and 16, Logan discloses a display configured to display the unique and selectable identifiers for the plurality of messages (see 107, fig.2).

Regarding claim 14, Logan discloses each of the plurality of messages in the memory are uniquely identified by assigning a unique tag to each of the plurality of messages, the unique tag comprising at least one input key stroke of a plurality of input keys of the communication device (see par.032).

Regarding claim 15, Logan discloses wherein selecting one of the plurality of messages in the memory comprises entering at least one input key stroke of the plurality of input keys of the communication device corresponding to a unique tag assigned to a desired message of the plurality of message in memory (see par.0033, “highlights a particular desired message and then press OK” reads on “at least one input key stroke of the plurality of input keys of the communication device corresponding to a unique tag assigned to a desired message” with broadest reasonable interpretation).

Regarding claim 19, Logan discloses a keypad coupled to the message storage module and to the message selector, the keypad configured to generate a text message to be stored in the message storage module and to generate identifiers for the plurality of messages, the keypad further configured to accept an identifier used by the message selector (see fig.1).

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed Tu Nguyen whose telephone number is 571-272-7883. The examiner can normally be reached on Monday through Friday from 8:30AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MAUNG NAY A, can be reached at (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

TP

December 19, 2005

EDAN ORGAD  
PATENT EXAMINER/TELECOMM.

L.O. 12/21/05